

**Joel E. Guthals, Attorney No. 589**  
**Guthals, Hunnes & Reuss, P.C.**  
**P.O. Box 1977**  
**Billings, MT 59103-1977**  
**Telephone: (406) 245-3071**  
**Facsimile: (406) 245-3074**  
**E-mail: jeguthals@ghrlawfirm.com**

**Attorneys for Creditor Bank of the Rockies N.A.**

**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF MONTANA**

<b>JOHN MICHELE FANUZZI and</b>	)	<b>Case No. 12-60143</b>
<b>NORAH BAWN FANUZZI,</b>	)	
	)	
<b>Debtors.</b>	)	
	)	

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**MOTION FOR RULE 2004 EXAMINATION OF DEBTOR**

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Pursuant to F.R.B.P 2004, the undersigned counsel for Bank of the Rockies N.A.,  
Creditor, respectfully requests the court to order an examination as follows:

1. Witness to be examined: Norah Bawn Fanuzzi
2. Date: March 27, 2012
3. Time: Immediately upon conclusion of the Section 341 Meeting of Creditors

which is scheduled to begin at 1:00 p.m. and the conclusion of the Rule 2004 Examination of  
Debtor John Michele Fanuzzi.

4. Place: Federal Building, Room 315, 400 N. Main St., Butte, Montana.

5. Scope of Examination: 1) Debtors' bankruptcy schedules and statement of financial affairs; 2) Debtors' loans from Creditor and documents related to said loans; 3) Debtor's prepetition and post petition acts and conduct; 4) Debtors' property and claims to property; 5) Debtors' liabilities and financial condition; 6) Debtors' income and expenses; 7) The assets, liabilities, business, income, expenses, and transactions of Debtors' businesses; 8) litigation involving the Debtors; 9) information pertinent to any motions and contested matters pending in this bankruptcy case; and 10) other matters affecting the administration of Debtors' estate, or Debtors' right to a discharge.

6. Documents to be Produced: All loan documents related to loans from Creditor, all documents, records and other writings pertaining to Debtors' income, expenditures, assets, liabilities, accounts receivable and collection thereof, for the period beginning January 1, 2010 through the date of the Rule 2004 Examination; all documents, records and other writings pertaining to the formation of any business entity in which Debtors have an interest and the income, expenditures, assets, liabilities, accounts receivable and collection thereof, for the period beginning January 1, 2010 through the date of the Rule 2004 Examination; all documents pertaining to Debtors' ownership of personal property and real property.

7. Time, Date and Place of Production (if different from examination): All documents shall be produced at the beginning of the Rule 2004 Examination as scheduled above.

8. Moving Party's calculation of Mileage Pursuant to F.R.B.P. 2004 (e): Debtors will incur no additional mileage to attend the Rule 2004 Examination, as they will be present for their Section 341 Meeting of Creditors.

9. Other information: N/A

10. This motion is made as a routine administrative matter pursuant to Mont. L.B.R. 9013-1(g)(2)(C) and accordingly the undersigned has not included the standard notice of opportunity for hearing under Mont. L.B.R. 9013-1(e).

**DATED** this 15<sup>th</sup> day of March, 2012.

**Guthals, Hunnes & Reuss, P.C.**

By: /s/ *Joel E. Guthals*

Attorneys for Bank of the Rockies N.A.

**CERTIFICATE OF SERVICE**

I, the undersigned, certify under penalty of perjury that on March 15, 2012, or as soon as possible thereafter, copies of the foregoing Rule 2004 Motion was served electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same and that in addition service by mailing a true and correct copy, first class mail, postage prepaid, was made to the following persons/entities who are not ECF registered users:

John Michele Fanuzzi  
Norah Bawn Fanuzzi  
PO Box 999  
Emigrant, MT 59027

**Guthals, Hunnes & Reuss, P.C.**

By: /s/ *Joel E. Guthals*

Attorneys for Bank of the Rockies N.A.